

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

DAVID F. EVANS, et al.,

Plaintiffs,

v.

THE CITY OF DURHAM, NORTH
CAROLINA, et al.,

Defendants.

Case No. 1:07CV739

**STIPULATION OF DISMISSAL WITH
PREJUDICE OF CLAIMS AGAINST
DEFENDANTS THE CITY OF
DURHAM, NORTH CAROLINA; MARK
GOTTLIEB; and BENJAMIN HIMAN**

Pursuant to Rule 41(a)(1)(A)(ii), Fed. R. Civ. Pro., the Plaintiffs and Defendants the City of Durham, North Carolina, Mark Gottlieb, and Benjamin Himan (collectively, the “City Defendants”) hereby stipulate to the dismissal with prejudice of all claims made by Plaintiffs in this action against the City Defendants, with each party to bear his or its costs, including but not limited to, attorneys' fees and litigation expenses of every nature and description. Under no circumstances shall this stipulation be interpreted to waive, preclude or otherwise limit the Plaintiffs’ right to seek the full amount of their costs, expenses and attorneys’ fees from other remaining defendants in this action.

This the 15th day of May, 2014.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2014, the foregoing Stipulation of Dismissal with Prejudice of Claims Against Defendants the City of Durham, North Carolina, Mark Gottlieb, and Benjamin Himan was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all parties required to be served.

Respectfully submitted,

/s/ Charles Davant IV

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